

## **DETAILED ACTION**

### ***Status of Application***

Claims 1-20 are presented for examination.

### ***Withdrawal of Claim Objections***

The objection to claims 4, 9, and 10 under 37 CFR 1.75 as being a substantial duplicate of claim 1 is withdrawn in view of Applicant's amendments to the claims.

### ***Withdrawal of Claim Rejections - 35 USC § 112, 2<sup>nd</sup> Paragraph***

The rejection of claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is withdrawn in view of Applicant's amendments to the claim.

### ***Examiner's Statement of Reasons for Allowance***

Claims 1-20 are allowed. The following is an examiner's statement of reasons for allowance: The closest prior art on record – "Ferracin et al." – teaches a method for recovering lead from spent lead acid batteries. It mentions the presence of silica and plastics in the sludge but does not teach or suggest the process as claimed to recover the silica material.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Claims 1-20 are allowed

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JENNIFER A. SMITH whose telephone number is (571)270-3599. The examiner can normally be reached on Monday - Thursday, 9:30am to 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571)272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J.A. LORENZO/  
Supervisory Patent Examiner, Art Unit 1793

Jennifer A. Smith  
April 5, 2010  
Art Unit 1793

JS